

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Cooperation Department – Liquidation of Cooperative Marketing Society Limited, Jangaon District Warangal – Transfer of Assets and Liabilities to Primary Agriculture Cooperative Society Ltd., Jangaon – Permission - Accorded.

AGRICULTURE & COOPERATION (COOP.V) DEPARTMENT

G.O.Ms.No. 300

Dated:14/11/2008.

Read the following:-

1. From the President & Managing Committee Members of PACS, Jangaon, Warangal District, Representation Dated: 5.11.2007.
2. From the Commissioner for Cooperation & Registrar of Cooperative Societies, A.P. Hyderabad, Lr.Rc.No.34510/2007/M.II, Dtd.01.8.2008.

ORDER:-

The President & Managing Committee Members of PACS, Jangaon, Warangal District in his representation first read above, has stated that the PACS Obulkeshavapur and PACS, Pembarthi have been merged with the PACS, Jangaon. The area of operation is confined to (12) Revenue Villages and the membership is 5250. The society is not having own office or go-down to take up the non-credit business to serve the members and functioning in a rented small house since 55 years. During the year 1972, the Cooperative Marketing Society(CMS) Jangaon was ordered for liquidation. The liquidator conducted open auction twice in the society, but no bidders participated. As a result the land is being encroached by the others. There is a huge amount due to the Municipality, Jangaon under Property Tax and business dues to the ODCMS, Warangal and MARKFED, Hyderabad. The PACS Jangaon is the member of Cooperative Marketing Society, Jangaon and can enter into the agreement with the liquidator for finalization of liquidation. The Managing Committee of PACS, Jangaon has passed a resolution to pay the dues to ODCMS, Warangal and MARKFED, Hyderabad from the funds of the PACS to get transfer of assets and liabilities of CMS, Jangaon which is under liquidation. The District Cooperative Officer, Warangal has issued instructions to the Liquidator/Sub Divisional Coop. Officer, Jangaon to sale the property in open auction. The Liquidator has issued the Sale Notice dt.25.10.2007 by fixing the date of open auction on 12.11.2007. In the open auction the society may not be in a position to code highest bid amount since it is not having own funds because it is functioning for the welfare farmers members. Once the property is sold, the PACS may not be able to purchase a suitable plot and construct office cum go-down. He has requested to stay the process of open auction notice dt.25.10.2007 and also to transfer of liabilities and assets of Cooperative Marketing Society, Jangaon to the Primary Agriculture Cooperative Society (PACS), Jangaon since it is functioning with similar objectives of its members to their best advantage.

2. The Commissioner for Cooperation & Registrar of Cooperative Societies, A.P. Hyderabad in his letter second read above has stated that the Divisional Cooperative Officer, Warangal has reported in his letter No.58/2006/A, dt.25.06.2007 that the Deputy Registrar of Cooperative Societies, Warangal, vide proceedings R.C.No.4377/71-B, dt.13.12.1987 has ordered that winding up of affairs of the Cooperative Marketing Society Ltd., and appointed the liquidator to liquidate the Society. The District Cooperative Officer, Warangal has accord permission to the Liquidator for disposal of assets so as to discharge liability of Society. He has further stated that he has conducted open auction on 24.5.1999 by giving wide publicity in local newspaper. But no bidders came forward to purchase the land. The liquidator once again fixed a new date for open auction on 12.11.2007. Meanwhile, the President of PACS Ltd., Jangaon has submitted an application to the Hon'ble Minister for Cooperation on 5.11.2007 to stay the process of open auction to be held on 12.11.2007 and requested for transferring of assets and liabilities of Cooperative Marketing Society Limited, Jangaon to the PACS Ltd., Jangaon,

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since it is functioning at the same Head – Quarters with similar objectives. The PACS Ltd., Jangaon in its Managing Committee meeting held on 3.12.2007 has resolved to take the assets ie., open land and existing building to accommodate it's office and also to serve (5250) members in the society. Further it is also resolved to remit the following dischargeable dues belonging to Cooperative Marketing Society Limited, Jangoan (under liquidation).

1.	MARKFED	1,44,890-40
2.	District Cooperative Marketing Society Limited Warangal.	1,47,162-69

		2,92,053-09

and also giving an undertaking (vide Agreement Letter of the PACS Ltd., Jangaon, dt.07.05.2008).

3. He has further informed that under the viability programme of restructuring of societies, the PACS Ltd., Obulkeshavapur and PACS Ltd., Pembarthi have been merged with the PACS Ltd., Jangaon. The area of operation is confined to (12) Revenue Village and the membership is 5250. The society is not having it's own building or go-down to take up the non credit business to serve the members and functioning in a rented small house of 55 years. The land and building of Cooperative Marketing Society Limited, Jangaon are located at outskirts of the Jangaon village. The open land 6020 Sq.Yards in Survey No.43 is nearby Bharat Gas Go-down. The people are not coming forward to construct the residential houses near the Gas Go-down. The existing Go-down with open land in Survey No.42 admeasuring 2450 Sq.yards is also not in use because of the roof is covered by damaged old iron Structure. There are two RCC rooms which may be useful after repairs. In the existing situation, no considerable amount will be expected in open auction of the assets.

4. The Commissioner for Cooperation & Registrar of Cooperative Societies, Hyderabad has finally requested to consider the proposals of the President PACS Jangaon and accord permission in relaxation of the priorities specified Under Section 69-B by virtue of powers vested in Govt. Under Section 123 of the APCS Act, 1964 to the Liquidator, Cooperative Marketing Society Limited, Jangaon to transfer the open land in Survey No.43, admeasuring 6020 sq.yards and in survey no.42 admeasuring 2450 yards open land and building to PACS Ltd., Jangaon after ensuring discharge of liabilities of the Markfed to a tune of Rs.1,44,890-40 and those of the District Cooperative Marketing Society Limited, Warangal to a tune of Rs.1,47,162.69ps (Total dues of Rs.2,92,053-09 ps) and to submit liquidation final closure report.

5. Govt. after careful examination of the matter hereby accord permission to the Liquidator, Cooperative Marketing Society Ltd., Jangaon in relaxation of the priorities specified under section 69-B, by virtue of powers vested in Govt. under section 123 of APCS Act, 1964, to transfer the open land in Survey No.43, admeasuring 6020 sq.yards and in survey no.42 admeasuring 2450 yards open land and building to PACS Ltd., Jangaon after ensuring discharge of liabilities of the Markfed to a tune of Rs.1,44,890-40 and those of the District Cooperative Marketing Society Limited, Warangal to a tune of Rs.1,47,162.69(Total dues of Rs.2,92,053-09) and to submit liquidation final closure report.

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6. The Commissioner for Cooperation & Registrar of Cooperative Societies, A.P. Hyderabad has requested to take immediate action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PANKAJ DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Liquidator, Cooperative Marketing Societies Ltd., Jangaon, Warangal District
through the CC&RCS, AP, Hyderabad.
The Commissioner for Cooperation & Registrar of Cooperative Societies, A.P. Hyderabad
Copy to:
P.S to Min(Coop)
P.S to Prl.Secy (FP, AM & Coop),
SF / SC.

// Forwarded :: By order //

SECTION OFFICER